

Black Mountain Ranch

Public Facilities Financing Plan and Facilities Benefit Assessment

(formally Subarea I of the NCFUA)

Fiscal Year 2006

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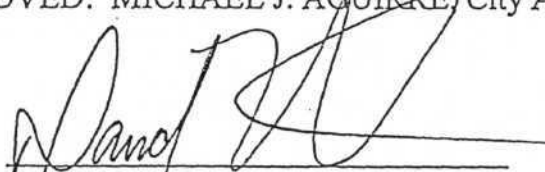
ADOPTED ON NOV 01 2005

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN
DIEGO APPROVING THE BLACK MOUNTAIN RANCH
PUBLIC FACILITIES FINANCING PLAN AND FACILITIES
BENEFIT ASSESSMENT.

BE IT RESOLVED, by the Council of the City of San Diego, that it approves the
document titled "Black Mountain Ranch Public Facilities Financing Plan and Facilities Benefit
Assessment, Fiscal Year 2006," a copy of which is on file in the office of the City Clerk as
Document No. RR- 301005.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By

A handwritten signature in black ink, appearing to read "David Miller", is written over a horizontal line.

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Introduction-Scope of Report

Second Update to Financing Plan

On January 14, 2003, by Resolution R-297551, the City Council adopted the current Black Mountain Ranch Public Facilities Financing Plan (FY 2003 Plan). This report constitutes the second comprehensive update of the Public Facilities Financing Plan for the Black Mountain Ranch community (Financing Plan). Future adjustments are anticipated to occur on an annual basis. This previous edition of the Financing Plan should be consulted for information pertaining to financing strategies, previous cost estimates and forecasting information.

The Financing Plan for Black Mountain Ranch sets forth the major public facilities that will be needed over the next nine years during which the full community build out is expected. While many of the required public improvements will be provided directly through the subdivision process, a funding mechanism for the remainder of the public facilities is required. Since the Council adopted General Plan clearly states that the primary funding source for these improvements should be provided by the developers involved, City Staff is recommending the continued use of an Facilities Benefit Assessment (FBA) for Black Mountain Ranch in accordance with San Diego City Ordinance O-15318, adopted August 25, 1980 and contained in Chapter VI of the San Diego Municipal Code. The FBA will provide funds for public facilities projects which serve a designated area of benefit. The dollar amount of the assessment is based upon costs distributed over a designated area of benefit in the Black Mountain Ranch Community.

Authorities

This Financing Plan implements the improvement requirements set forth in the Black Mountain Ranch Subarea Plan, which was originally approved by the City Council on July 28, 1998 as Resolution No. R-290525. The Phase Shift from the future urbanizing planning designation to planned urbanizing was subsequently approved by the voters during Fiscal Year 1999. This community is also subject to the requirements of two development agreements:

- ▶ Second Amended and Restated Development Agreement Between The City of San Diego and Black Mountain Ranch Limited Partnership, Document No. O-18387, March 17, 1997.
- ▶ First Amendment to Second Amended and Restated Development Agreement Between The City of San Diego and Black Mountain Ranch Limited Partnership, Document No. O-19020, December 10, 2001.

Procedure

The procedures for an FBA are set forth in the San Diego City Ordinance O-15318 adopted August 25, 1980. The FBA provides funds for public facilities projects which service a designated area of benefit. The dollar amount of the assessment is based upon the costs of each public facility equitably distributed

over a designated area of benefit in the Black Mountain Ranch community planning area.

The mechanics of the FBA are as follows: At the time of Building Permit issuance, the owner of the parcel being developed is assessed an amount determined by the type and extent of the permit being requested. Monies collected are placed in a separate City fund, used solely for those capital improvements shown in the Financing Plan for the area of benefit. In the preparation of the Facilities Benefit Assessment roll for Black Mountain Ranch, each parcel or approved map unit in the area of benefit is apportioned its share of the total assessment according to the size and anticipated use of that property.

In the material that follows, an appropriate dollar assessment is developed for all properties seeking to develop in Black Mountain Ranch.